

01-26-01

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01/24/01  
30962 U.S. PTO

NEW, CONTINUATION, DIVISIONAL OR  
CONTINUATION-IN-PART APPLICATION  
UNDER 37 C.F.R. §1.53(b)

Attorney Docket No. 4075-000002  
Express Mail Label No. EL684108646US  
Date January 24, 2001

30962 U.S. PTO  
09/17/0097  
01/24/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Hon. Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a patent application for THERMOFORMED APPARATUS HAVING A COMMUNICATIONS DEVICE.

identified by: [ ] First named inventor \_\_\_\_\_  
or [X] Attorney Docket No. (see above)

1. Type of Application

[X] This application is a new (non-continuing) application.

[ ] This application is a [ ] continuation / [ ] divisional / [ ] continuation-in-part of prior application No. \_\_\_\_\_. Amend the specification by inserting before the first line the sentence:

--This is a [continuation/division/continuation-in-part] of United States patent application No. \_\_\_\_\_, filed \_\_\_\_\_--

[ ] The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

If for some reason applicant has not requested a sufficient extension of time in the parent application, and/or has not paid a sufficient fee for any necessary response in the parent application and/or for the extension of time necessary to prevent the abandonment of the parent application prior to the filing of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge our Deposit Account No. 08-0750 for any fee that may be due. THIS FORM IS BEING FILED IN TRIPLICATE: one copy for this application; one copy for use in connection with the Deposit Account (if applicable); and one copy for the above-mentioned parent application (if any extension of time is necessary).

2. Contents of Application

a. [X] Specification of 51 pages;  
[ ] A microfiche computer program (Appendix);  
[ ] A nucleotide and/or amino acid sequence submission;

[ ] Because the enclosed application is in a non-English language, a verified English translation [ ] is enclosed [ ] will be filed.

[ ] Cancel original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing date purposes.)

b. [X] Informal Drawings on 12 sheets showing Figures 1-24;

- c. ☒ An unsigned Oath/Declaration is enclosed. A signed Oath/Declaration will be filed in accordance with 37 C.F.R. §1.53(f).

The enclosed Oath/Declaration is ☐ newly executed / ☐ a copy from a prior application under 37 C.F.R. §1.63(d) / ☐ accompanied by a statement requesting the deletion of person(s) not inventors in the continuing application.

- d. ☐ Form PTO/SB/35, a Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i), requesting non-publication of this application, is enclosed.

e. **Fees**

FILING FEE	Number	Number		Basic Fee
CALCULATION	Filed	Extra	Rate	\$710.00
Total Claims	74 - 20 =	54 x	\$18.00 =	972.00
Independent Claims	12 - 3 =	9 x	\$80.00 =	720.00
Multiple Dependent Claim(s) Used			\$270.00 =	
FILING FEE - NON-SMALL ENTITY				2,402.00
FILING FEE - SMALL ENTITY: Reduction by 1/2				
<input type="checkbox"/> Verified Statement under 37 C.F.R. §1.27 is enclosed.				1,201.00
<input type="checkbox"/> Verified Statement filed in prior application.				
Assignment Recordal Fee (\$40.00)				
37 C.F.R. §1.17(k) Fee (non-English application)				
<b>TOTAL</b>				<b>1,201.00</b>

- ☐ A check is enclosed to cover the calculated fees. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 08-0750. A duplicate copy of this document is enclosed.
- ☒ The calculated fees will be paid within the time allotted for completion of the filing requirements.
- ☐ The calculated fees are to be charged to Deposit Account No. 08-0750. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account. A duplicate copy of this document is enclosed.

3. **Priority Information**

- ☐ **Foreign Priority:** Priority based on \_\_\_\_\_ Application No. \_\_\_\_\_, filed \_\_\_\_\_, is claimed.
- ☐ A copy of the above referenced priority document ☐ is enclosed / ☐ will be filed in due course, pursuant to 35 U.S.C. §119(a)-(d).

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[X] **Provisional Application Priority:** Priority based on United States Provisional Application No. 60/177,383, filed January 24, 2000, is claimed under 35 U.S.C. §119(e).

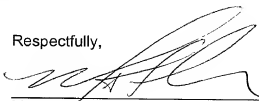
4. **Other Submissions**

- [ ] A Preliminary Amendment is enclosed.
- [ ] An Information Disclosure Statement, \_\_\_\_\_ sheets of PTO Form 1449, and \_\_\_\_\_ patent(s)/publications/documents are enclosed.
- [ ] A power of attorney
- [ ] is submitted [ ] with the new Oath/Declaration.
- [ ] is of record in the prior application and [ ] is in the original papers / [ ] a copy is enclosed.
- [ ] An Assignment of the invention
- [ ] is enclosed with a cover sheet pursuant to 37 C.F.R. §§3.11, 3.28 and 3.31.
- [ ] is of record in a prior application. The assignment is to \_\_\_\_\_, and is recorded at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_.
- [ ] An Establishment of Assignee's Right To Prosecute Application Under 37 C.F.R. §3.73(b), and Power Of Attorney is enclosed.
- [X] An Express Mailing Certificate is enclosed.
- [ ] Other: \_\_\_\_\_

Attention is directed to the fact that the correspondence address for this application is:

Harness, Dickey & Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600.

Respectfully,

  
\_\_\_\_\_  
Monte L. Falcoff  
Reg. No. 37,617

Date

January 24, 2001  
\_\_\_\_\_  
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(248) 641-1600

**HARNES, DICKEY & PIERCE, P.L.C.**  
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January 24, 2001

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

**EXPRESS MAILING CERTIFICATE**

Applicant(s): Scott A. W. Muirhead  
Serial No. (if any):  
Title: THERMOFORMED APPARATUS HAVING A COMMUNICATIONS  
DEVICE  
Attorney Docket: 4075-000002  
Attorney: Monte L. Falcoff

**"Express Mail" Mailing Label No. ....EL684108646US**

**Date of Deposit.....January 24, 2001**

I hereby certify and verify that the accompanying New Application Transmittal Letter (in triplicate); 51-  
Page Patent Application; Unsigned Declaration and Power of Attorney, 12 Sheets of Informal Drawings  
showing Figures 1-24 are being deposited with the United States Postal Service Express Mail Post Office  
To Addressee service under 37 C.F.R. 1.10 on the date indicated above and are addressed to  
Commissioner of Patent and Trademarks, Box: Patent Application, Washington, D.C. 20231.

*Monte L. Falcoff*  
Signature of Person Mailing Document(s)